

A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS WAS HELD**FEBRUARY 2, 1999 AT 9:30 A.M.****IN WARRENTON, VIRGINIA**

P R E S E N T Mr. Larry L. Weeks, Chairman; Mr. Joe Winkelmann, Vice Chairman; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum; Mr. G. Robert Lee, County Administrator; Mr. Paul S. McCulla, County Attorney

ADOPTION OF THE AGENDA

Mr. Mangum moved to adopt the agenda subject to adding to the agenda A Resolution for Tributary Strategies Goal Setting for the Rappahannock River Basin and to changing the Consent Agenda resolution, Authorization to Establish a New Personnel Technician Position in the Personnel Department and Transfer the Payroll Technician Position to the Finance Department by removing the Personnel Technician Position in the Personnel Department. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum

Nays: None

Absent During Vote: None

Abstention: None

CITIZENS TIME

Randy Hodgson, Chief of Planning, introduced Denise Harris as Community Development's newest Planner.

CONSENT AGENDA

Mr. Winkelmann moved to adopt the following Consent Agenda items. Mr. Mangum seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum

Nays: None

Absent During Vote: None

Abstention: None

Authorization to Revise Personnel Policy, Section #2, Leave, Paragraph XXV, Holiday Leave

RESOLUTION

A RESOLUTION TO REVISE PERSONNEL POLICY SECTION #2, LEAVE PARAGRAPH XXV,
HOLIDAY LEAVE

WHEREAS, the Department of Personnel Services periodically reviews certain Personnel Policies to ensure that they are meeting the objectives of the County and the needs of the County employees; and

WHEREAS, the Department of Personnel Services conducted such a review of this policy; and

WHEREAS, based upon this review, it is recommended that the policy revisions reflect procedural and administrative changes to include a paid holiday leave benefit to part-time permanent County Government employees; and

WHEREAS, a part-time permanent employee must have completed ten years of service as defined by County Personnel Policies; and

WHEREAS, the part-time permanent employee will receive compensation for the paid holiday only when the holiday falls on their regularly scheduled work day; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 2nd day of February 1999, That these revisions made in Personnel Policy, Section #2 Leave, Paragraph XXV Holiday Leave be, and are hereby, approved; and, be it

RESOLVED FURTHER, That the effective date of these revisions be February 1, 1999; and, be it

RESOLVED FINALLY, That the County Administrator be, and is hereby, directed to administer this revised policy and changes in accordance with applicable Fauquier County policies and procedures.

Policy Title: Leave Section No. 2

I. A full-time permanent employee may be granted leave without pay for a period not to exceed one year for formal education continuance, such as the attainment of a Degree or professional certification or license. Such leave must be recommended and approved by appropriate supervisory levels, submitted to the Personnel Director for comments, then forwarded to the County Administrator for final approval. Such leave which extends beyond ninety (90) days must receive prior approval from the Board of Supervisors.

J. Upon return to work, the employee will be placed in his/her former position unless there has been a change in the personnel levels or staff organization which necessitates the assignment of the employee to another position which is available and for which he/she is qualified.

XXV. Holiday Leave

A. The following holidays are observed by the County as official holidays with full pay for permanent employees who are on the payroll the working day prior to the holiday:

New Year's Day January 1

Lee-Jackson-King Day 3rd Monday in January

Presidents' Day 3rd Monday in February

Memorial Day Last Monday in May

Independence Day July 4

Labor Day 1st Monday in September

Columbus Day 2nd Monday in October

Veteran's Day November 11

Thanksgiving Day 4th Thursday in November

Thanksgiving Friday 4th Friday in November

Winter Break December 25

Or any other holiday designated by the Governor of Virginia or the President of the United States.

B. Special holidays may be designated by action of the Board of Supervisors as an official holiday or non-work day.

C. County Employees employed in Consolidated Finance, Consolidated Personnel, and Consolidated Support Services shall follow the thirteen legal holiday schedule for the Public Schools. To create an equitable working environment between the County Government and the School Division, County employees will be given two (2) floating holidays per calendar year in addition to their above mentioned holiday schedule. Department Heads/Constitutional Officers will coordinate the additional days of holiday with their employees so that offices are adequately staffed and service to the public is not disrupted.

D. It shall be the policy of the County to insure that all permanent employees enjoy the same number of holidays each year, regardless of the provisions of the section on granting holiday leave. The standard shall be the number of holidays in a particular year which will be celebrated by employees working a normal workweek of Monday through Friday. The working schedules of permanent employees on a workweek of other than Monday through Friday shall be arranged

so that these employees celebrate no more or fewer holidays than the standard for the year.

E. Part-time permanent employees who work a minimum of 20 hours per week and have been employed for at least one (1) year, and who are regularly scheduled for work on a holiday shall be compensated for that holiday at the normal length of a work day. Part-time permanent employees who are not regularly scheduled to work on a holiday will not be compensated for that holiday.

F. Notwithstanding E above, part-time permanent employees who have completed ten years of service as defined by County Personnel Policies, and who are regularly scheduled for work on a holiday shall be compensated for that holiday at the normal length of their work day.

XXVI. **Granting Holiday Leave**

The granting of holiday leave observed by the County shall be subject to the following provisions, unless specifically designated to the contrary:

A. Holiday on Weekend - Generally when a holiday falls on a Saturday, it shall be observed on the preceding Friday. When a holiday falls on a Sunday, the following Monday shall be observed as the holiday. The official holiday schedule is designated by the Board of Supervisors.

B. Holiday on Mandatory Work Day - Employees who are required to work on a holiday shall be granted appropriate compensatory time off.

C. Holiday on Scheduled Day Off - Within the policy established in this section on holiday leave, whenever one of the designated holidays falls on an employee's scheduled day off, an additional compensatory day shall be granted. (Applies only to employees who normally work on Saturday or Sunday.)

D. Holidays for Temporary, Part - Time Employees - Temporary, Part-time employees shall not be paid for holidays which fall on days for which they would be scheduled to work.

E. Holidays During Paid Leave - A holiday falling within a period of paid leave shall not be counted as a work day in computing leave charged to any employee. However, when an employee is absent on a holiday for which he/she is scheduled to work, time shall be deducted from his/her sick leave or annual leave or be charged to leave without pay or other applicable leave.

F. Holiday During Unpaid Leave - When a holiday falls within a period of leave without pay or immediately preceding or following such leave, the employee shall receive no pay for the holiday.

G. Appointment or Separation on Holiday - The appointment or separation of an employee shall not be effected on a holiday, except when the employee works that day.

Authorization to Revise Personnel Policy, Section #13, Voluntary Donation of Annual Leave From One Employee to Another Employee

RESOLUTION

A RESOLUTION TO REVISE PERSONNEL POLICY SECTION #13, VOLUNTARY DONATION OF ANNUAL LEAVE FROM ONE EMPLOYEE TO ANOTHER EMPLOYEE

WHEREAS, the Personnel Department periodically reviews certain Personnel Policies to ensure that they are meeting the objectives of the County and the needs of County employees; and

WHEREAS, the Personnel Department conducted such a review of this policy; and

WHEREAS, based upon this review, it is recommended that the policy revisions reflect procedural and administrative changes to allow the voluntary donation of leave from one employee to another in cases of extreme hardship; and

WHEREAS, requests for donation of leave will be considered for the employee's own serious health condition and to care for a spouse, child or parent with a serious health condition; and

WHEREAS, consideration will be given to solicit and receive leave donations to cover the period between the employee's exhausted annual, sick and compensatory leave and the date he/she becomes eligible to draw from the sick leave bank; and

WHEREAS, if an employee is eligible, but unable to apply for donation of leave due to a physical or mental condition, a spouse, parent, or adult offspring, person holding a valid power of attorney, or Constitutional Officer/Department Head may apply on behalf of that employee; and

WHEREAS, donations of leave will be made in no less than half day increments, and cannot be retrieved once the recipient uses it; and

WHEREAS, employees receiving donation of leave shall be considered on leave without pay and will not be eligible to accrue annual leave or sick leave; and

WHEREAS, donations will be processed anonymously, unless the donor requests otherwise; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 2nd day of February 1999, That these revisions made to Personnel Policy, Section #13, *Voluntary Donation of Annual Leave From One Employee to Another Employee* be, and are hereby, approved; and, be it

RESOLVED FURTHER, That the effective date of these revisions be February 1, 1999; and, be it

RESOLVED FINALLY, That the County Administrator be, and is hereby, directed to administer this revised policy and changes in accordance with applicable Fauquier County policies and procedures.

Policy Title: Section No. 13

Voluntary Donation of Annual Leave

From One Employee to Another Employee

A. As a general policy, annual leave shall not be donated or transferred from one employee to another employee. However, in cases of extreme hardship and based on individual circumstances and merit of each validated situation, the County Board of Supervisors has delegated to the County Administrator authority to approve the donation of annual leave by one employee to another employee to be used as sick leave. The sick leave must be required due to the employee's own serious health condition or to care for a spouse, son, daughter, or parent with a serious health condition.

B. The donation and transfer of annual leave by one employee to another employee to be used as sick leave shall be subject to the following provisions:

1. Prior to submission of a formal request to solicit voluntary donations of annual leave ~~for transfer of annual leave~~, the responsible Constitutional Officer/Department Head and the Personnel Representative ~~Specialist~~ shall review the ~~donating and the receiving~~ requesting employee's leave records and acceptable medical documentation to ascertain the appropriateness of the request. Where applicable it is the responsibility of the employee to provide the acceptable medical documentation. If such review indicates a formal request is not warranted, the Constitutional Officer/Department Head and requesting employee will be notified and no further action will be taken.
2. If deemed warranted, a formal request shall be submitted by the Personnel Representative ~~donating employee through the appropriate Department Head~~, to the County Administrator and the Personnel Department Specialist for approval and certification. Once approval has been granted by the County Administrator, the Personnel Department will issue a memo soliciting voluntary donations either within a specific Department, or County Government wide. A copy of the completed approval form will be maintained in the Personnel Office and a copy will be furnished the donor requesting employee and Constitutional Officer/Department Head. Upon receipt, the Personnel Department will review the donation offers for eligibility requirements.
3. If an employee is eligible but unable to apply due to physical or mental condition, a spouse, parent or adult offspring, person holding a valid power of attorney or Constitutional Officer/Department Head may apply on behalf of that employee.
4. An employee's continuing eligibility to participate in this program must be reviewed by the Personnel Representative at least every thirty days and more frequently if appropriate, based upon medical documentation.
5. Mandatory limits shall not be established for this voluntary donation of annual leave, however, individual circumstances such as the amount of leave accrued by the donor, the probability of forfeiture, the nature of the hardship, etc. shall be considered in determining the appropriate amount to be approved for transfer. Donations of leave must be made in increments of no less than one-half day units.
6. Permanent employees only shall be eligible to participate in the donation and receipt of

annual leave to be used as sick leave.

7. To be eligible to receive donations of annual leave to be used as sick leave, would be recipients must have used all personal accruals of annual leave, sick leave, compensatory leave and authorized sick leave bank balances, if a contributing member of the sick leave bank. Consideration will also be given to the solicitations and receipt of leave donations to cover the period between the employee's exhaustion of annual, sick and compensatory leave and the date s/he becomes eligible to draw from the sick leave bank.
8. Constitutional Officers/Department Heads shall not be eligible to donate annual leave to or receive annual leave from their subordinate employees and employees of other departments for use as sick leave, except that they may donate leave to or receive annual leave from other Constitutional Officers/Department Heads.
9. Employees shall not be eligible to donate annual leave to their Constitutional Officer/Department Heads and supervisors, as well as other Constitutional Officers/Department Heads and supervisors.
10. To the extent that County Government Personnel Policy permits the use of compensatory time in lieu of annual leave, compensatory time may be treated as annual leave and subsequently donated for use as sick leave.
11. All donations of leave will be processed anonymously, unless the donor requests otherwise.
12. Once donated leave is used by the recipient, the donor cannot retrieve any portion of the donated leave. However, All unused donated hours will be returned to the donor.
13. Employees receiving donation of leave through this policy shall be considered on leave without pay and not accrue annual or sick leave.
14. The donation of annual leave from one employee to another employee for use as sick leave shall be a voluntary act on the part of the donor and is to be neither encouraged or discouraged by management. It is, however, recognized as a viable means of alleviating extreme hardships that may be incurred by County Government employees and is to be given management's support when justified.

Authorization to Extend the Work Hours of a Full-Time Receptionist/Office Associate I Position
in the Personnel Department

RESOLUTION

AUTHORIZATION TO EXTEND THE WORK HOURS

OF A FULL TIME RECEPTIONIST/OFFICE ASSOCIATE I

POSITION IN THE PERSONNEL DEPARTMENT

WHEREAS, the Receptionist/Office Associate I position within the Personnel Department is currently working 37.5 hours a week; and

WHEREAS, since the Personnel Department's move to the Warren Green Building, the workload has dramatically increased to support telephone coverage for the Personnel Department, Finance Department and the Law Library; and

WHEREAS, mail distribution services to all offices within the Warren Green Building and County Court House, and maintaining and servicing the postage machine for the Warren Green Building's external mail are added responsibilities of this position; and

WHEREAS, the Receptionist/Office Associate I position provides increasing clerical support to the Personnel Department; and

WHEREAS, extending the Receptionist/Office Associate I position to a forty hour work week will provide the needed support to the Personnel Department and to the employees and taxpayers of Fauquier County; and

WHEREAS, the Personnel Department will support the total funding to increase the hours for this position, and no additional funds would be required from the General Fund; and

WHEREAS, proper justification for this action has been presented to the Board of Supervisors; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 2nd day of February 1999, That the Receptionist/Office Associate I position within the Personnel Department be, and is hereby, converted to a forty hour work week effective February 1, 1999, in accordance with applicable Fauquier County policies and procedures.

Authorization to Transfer the Payroll Technician Position to the Finance Department

RESOLUTION

AUTHORIZATION TO TRANSFER THE PAYROLL

TECHNICIAN POSITION TO THE FINANCE DEPARTMENT

WHEREAS, since the reorganization of the Personnel Department began on November 30, 1998, duties and responsibilities have altered within the department to justify the need to establish a new full time permanent Personnel Technician position; and

WHEREAS, a class specification for a Personnel Technician, Grade 17, within the Personnel Department was established and approved in 1996; and

WHEREAS, the Payroll Technician position, Grade 15, currently within the Personnel Department is to be transferred to the Payroll Division of the Finance Department; and

WHEREAS, this reorganization will better accommodate the workload of the Personnel and Finance Departments, and provide quality services to the employees of Fauquier County Government and Public Schools, and to the community of Fauquier County; and

WHEREAS, the Personnel Department will support the total funding of this reorganization change, and no additional funds will be required from the General Fund; and

WHEREAS, external recruitment procedures will be followed in filling the position of Payroll Technician; and

WHEREAS, proper justification for this action has been presented to the Board of Supervisors; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 2nd day of February 1999, That the Payroll Technician position be, and is hereby, transferred to the Finance Department effective February 1, 1999; and, be it

RESOLVED FURTHER, That the Personnel Department and Finance Department will follow the procedures set forth in the County Personnel Policy and Pay Classification Plan.

**A RESOLUTION AMENDING A PREVIOUSLY ADOPTED RESOLUTION PROVIDING FOR THE
CONDITIONAL DONATION OF REAL PROPERTY TO FAUQUIER FAMILY SHELTER SERVICES,
INC.**

Mr. Winkelmann moved to adopt the following resolution. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

**A RESOLUTION AMENDING A PREVIOUSLY ADOPTED RESOLUTION PROVIDING FOR THE
CONDITIONAL DONATION OF REAL PROPERTY TO FAUQUIER FAMILY SHELTER SERVICES,
INC.**

WHEREAS, the Board of Supervisors of Fauquier County, by Resolution dated the 3rd day of February, 1998 authorized the conditional donation of 0.4934 acres of real property located on Keith Street in the Town of Warrenton to the Fauquier Family Shelter Services, Inc.; and

WHEREAS, the donation of the aforesaid real property was conditioned upon the inclusion within the deed of a provision providing that title to the real property would revert to the County of Fauquier should FFSSI cease to use the property as a family shelter for a period of more than ninety (90) days; and

WHEREAS, while FFSSI previously consented to the inclusion of the reversion clause within the deed it has been unable to obtain the necessary financing for the shelter project unless the

reversion provision to be contained in the deed is made subordinate to the lenders' deeds of trust; and

WHEREAS, FFSSI has requested that the Board of Supervisors agree to the subordination of its reversion provision to the Deeds of Trust for The Fauquier Bank and The Virginia Department of Housing and Community Development; and

WHEREAS, by the adoption of this resolution the Board of Supervisors finds it to be in the best interest of the citizens of the County of Fauquier to subordinate the reversion clause in the deed of gift of the aforesaid property to FFSSI to the Deeds of Trust for The Fauquier Bank and the Virginia Department of Housing and Community Development; now, therefore, be it

RESOLVED this 2nd day of February, 1999, by the Board of Supervisors of Fauquier County that the Resolution dated the 3rd day of February, 1998 entitled "A Resolution to Transfer Defeasible Fee Simple Interest in Property Owned by Fauquier County to the Fauquier Family Shelter Services, Inc." as ratified and confirmed by Resolution of the Board of Supervisors dated 21st day of April, 1998 be, and is hereby, amended to insert after the word "cease" in the first Resolved Further paragraph the following:

, provided however: (1) the reversion clause may be subordinated to a Deed of Trust to The Fauquier Bank, said principal amount secured by the Deed of Trust not to exceed \$300,000.00 with a term of no more than twenty-one (21) years (which includes a one-year construction loan) and may also be subordinated to a Deed of Trust to The Virginia Department of Housing and Community Development securing an amount not to exceed \$200,000.00 with a term not to exceed ten (10) years, the cumulative total secured under both deeds of trust not to exceed \$300,000.00 at any time; and (2) any subordination document shall provide that (a) the County may, but is not required to, cure FFSSI's default and assume its obligations; and (b) that the subordination shall not apply to any amendments, continuations or modifications of the deeds of trust unless the amendments, continuations or modifications are consented to in writing by the Board of Supervisors.

A RESOLUTION FOR TRIBUTARY STRATEGIES GOAL SETTING FOR THE RAPPAHANNOCK RIVER BASIN

Mr. Burton moved to adopt the following resolution. Mr. Mangum seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION FOR TRIBUTARY STRATEGIES GOAL

SETTING FOR THE RAPPAHANNOCK RIVER BASIN

WHEREAS, members of the Rappahannock River Basin Commission, representing citizens and local governments across the Rappahannock Basin, have participated in numerous discussions of Virginia's Tributary Strategy initiative for the Rappahannock River; and

WHEREAS, Fauquier County is a participating member of the Rappahannock River Basin Commission; and

WHEREAS, Virginia's Tributary Strategy Program, as defined by the Commonwealth's commitments under the Chesapeake Bay program, is a voluntary, cooperative effort that emphasizes local determination; and

WHEREAS, local governments in the Rappahannock River Basin support cost-effective and practical efforts to restore water quality throughout the river basin; and

WHEREAS, recent water quality monitoring and research have shown that both the upper and lower portions of the Rappahannock River have suffered degradations in recent years as a result of both natural forces and human impacts; and

WHEREAS, scientific research and computer water quality models show that the River can be substantially improved through reductions in nutrients and sediments that are now coming from a variety of sources; and

WHEREAS, farmers, treatment plant owners and others throughout the Rappahannock River basin have already undertaken many important and valuable actions to improve water quality and are willing to undertake additional actions through voluntary commitments that are supported through cost-share funding; and

WHEREAS, the efforts of state and local officials, agricultural representatives and others to build a Tributary Strategy for the Rappahannock River, have identified practical and cost-effective means for building on these successful efforts to reduce nutrient and sediment loadings to the Rappahannock River and improve water quality; and

WHEREAS, full implementation of these voluntary practices represents a goal for nutrient and sediment reductions that would achieve substantial benefits in the River and would be attainable over time, depending on availability of funding and resources; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 2nd day of February 1999, That the Board of Supervisors does hereby express its support for efforts in the Rappahannock River Basin to pursue full funding of available cost-share programs in the basin and the goal to achieve a full level of voluntary implementation of nutrient and sediment reduction practices

within a time frame that is practical, cost-effective and commensurate with available resources.

APPOINTMENTS

By unanimous consent, Don Seaborg and Dave Van Gelder were appointed to the Public Safety Compensation Task Force to represent Lee and Cedar Run Districts, respectively.

By unanimous consent, Bryan Teates, Jr. was appointed to the Teacher Compensation Task Force representing Lee District.

SUPERVISORS TIME

- Mr. Burton asked the Board of Supervisors to support a request to the Virginia Department of Transportation to install warning strobe lights along Route 28 to warn motorists of slow moving farm equipment.
- Mr. Winkelmann gave an update on the special exception bill before the Virginia General Assembly.
- Mr. Weeks asked that the School Board be invited to a Board of Supervisors work session to review the School budget.

ANNOUNCEMENTS

- Mr. Lee announced that the Board would be considering two budgets; one with no tax increase.

With no further business, the meeting was adjourned.